

**PATENT****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Keith Homer Baker et al. : Paper No.:  
Serial No.: 10/671,969 : Group Art Unit: 1762  
Filed: September 26, 2003 : Examiner: Elena Tsoy  
For: **Compositions For Treating Shoes and Articles Employing Same**

**TERMINAL DISCLAIMER**

Mail Stop Amendment  
Commissioner for Patents  
Washington, D.C. 20231

**EFS Web Electronic Submission**

**July 5, 2007**

Dear Sir:

Petitioner, The Procter & Gamble Company, is the owner of the entire right, title and interest in the above-identified application U.S. Serial No. 10/671,969, which is a continuation application of U.S. Application Serial No. 10/007,449 filed on November 5, 2001, which issued as U.S. Patent No. 6,866,888, as evidenced by the Global General Assignment, a copy of which was submitted to the USPTO during prosecution of the parent application and recorded on Reel 012371 beginning at frame 0030.

Petitioner is also the owner of the entire right, title and interest in co-pending U.S. application Serial No. 10/862,706 by virtue of the assignment recorded on June 7, 2004 at Reel: 015458, Frame: 0640.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application Serial No. 10/671,969 which would extend beyond the earliest of the expiration dates of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer filed prior to the grant, of any patent granted on Petitioner's co-pending Application Serial No. 10/862,706, and the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,866,888 (the '888 patent).

Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 10/671,969 shall be enforceable only for and during such period that it and any patent

granted on the co-pending application Serial No. 10/862,706 are commonly owned, or that it and the '888 patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application Serial No. 10/671,969 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on the co-pending application Serial No. 10/862,706, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Also, in making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application Serial No. 10/671,969 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the '888 patent, as shortened by any terminal disclaimer filed prior to the '888 patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The evidentiary documents for the assignments have been reviewed by the undersigned, and the undersigned certifies that to the best of his/her knowledge and belief, title is in the assignee to take this action. The undersigned is an attorney or agent of record and is empowered to act on behalf of the assignee.

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By: /Denise M. Everett/  
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Date: July 5, 2007